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Report of the United Nations High Commissioner for Human Rights

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Introduction

1. This is my first report as United Nations High Commissioner for Human Rights to the Commission on Human Rights. It is presented pursuant to paragraph 5 of General Assembly resolution 48/141 which requests the High Commissioner to report annually on her activities, in accordance with her mandate, inter alia to the Commission on Human Rights. The report is somewhat lengthy, but it seemed appropriate that the first report should seek to be comprehensive.

2. On 12 September 1997 I took up my duties as High Commissioner in Geneva. Earlier that year, the first High Commissioner, Mr. José Ayala-Lasso, resigned the post to become Foreign Minister of his country. Subsequently, on 12 June 1997, the Secretary-General, in accordance with resolution 48/141, appointed me as High Commissioner for Human Rights and that appointment was approved by the General Assembly on 17 June 1997.

3. Since taking up my duties I have studied closely the human rights programme from my office at Geneva and met with Heads of State or Government, Foreign Ministers and other senior government officials, Permanent Representatives, delegates, members of commissions and committees, experts, non-governmental organizations and individuals in Geneva and New York. I have met with the leadership of specialized agencies, United Nations programmes and departments, and addressed the Third Committee of the General Assembly and numerous human rights meetings. I participate regularly in the senior-level Secretariat meetings, including the Secretary-General's Senior Management Group, the relevant Executive Committees and the Administrative Committee on Coordination.

4. I have also been able to visit our field offices in Rwanda and Cambodia and to pay official visits to a number of countries in Africa, Asia and Europe. I have thus been able to appreciate, in a relatively short period, the enormous tasks, the significant difficulties, the great hopes and expectations which confront human rights protection and promotion in our world in transition today and to understand that working together we can - and must - make a difference.

5. At the beginning of this report I would like to pay tribute to the dedicated work and efforts of the first High Commissioner, Ambassador José Ayala-Lasso, who helped establish the mandate of the High Commissioner on a firm and broadly accepted basis and who has been very supportive of this Office since taking up his present responsibilities as Foreign Minister of Ecuador.

I. THE UNIVERSAL DECLARATION OF HUMAN RIGHTS: 50 YEARS OF HUMAN RIGHTS PROTECTION

6. Fifty years ago, the United Nations adopted the Universal Declaration of Human Rights, thus giving substance to a principal objective of the Charter and beginning a half-century quest for ways of making the enjoyment of human rights a reality for every human being.

7. The Declaration was the first international expression of the rights and freedoms of all members of the human family which are applicable to every person, everywhere. The Declaration proclaims human rights not only as universal, but also as indivisible, interdependent and interrelated in that economic, social and cultural rights and civil and political rights are affirmed with the same strength and placed on the same plane of protection, echoing the Charter's determination to promote social progress and better standards of life in larger freedom. The Declaration also acknowledges the human rights contribution to maintaining international peace and security as it states that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world".

8. The Declaration has shown itself to be one of the great documents of human history and stands as a monument to the convictions and determination of its framers. As the legislative history shows, the authors, coming from the different regions of the world, sought to reflect in the text various cultural traditions and the values inherent in the world's principal legal systems and religious and philosophical traditions. The success of their endeavour is shown in the wide acceptance of the Universal Declaration. It has formed the starting point for numerous international treaties and declarations, it is incorporated in the constitutions and laws of many countries, and today many of its provisions have become part of international customary law binding on all States.

9. The universality of human rights does not mean there is only one model of social, political or legal organization or that all societies must be the same. As the Secretary-General stated on Human Rights Day 1997,

> "the Universal Declaration of Human Rights, far from insisting on uniformity, is the basic condition for global diversity. That is its great power. That is its lasting value. The Universal Declaration of Human Rights enshrines and illuminates global pluralism and diversity. It is the standard for an emerging era in which communication and collaboration between States and peoples will determine their success and survival".

10. The Universal Declaration is an essential element of the United Nations system. It was endorsed by the Proclamation of Tehran at the 1968 International Conference on Human Rights, embodied in the International Covenants on Human Rights which entered into force in 1976 and reaffirmed by the World Conference on Human Rights in the 1993 Vienna Declaration and Programme of Action. The Secretary-General has placed the promotion and protection of human rights at the centre of his concern and those of the Secretariat as a whole.

A. Human Rights Year: 1998

11. 1998 is Human Rights Year during which the proclamation of the Universal Declaration will be commemorated. It is an opportunity to give new impetus to human rights, draw inspiration from the achievements of the past and set out a vision for the future. Its message is to reinforce the commitment we have already made to work for a better balance between the protection and promotion

of the two sets of human rights, civil and political and economic, social and cultural, in the context, also, of advancing the right to development.

12. The activities for the Year are planned to serve as ways of advancing human rights along with peace, democracy and development as guiding principles for international relations and strong community life within nations. They will focus in particular on enhancing the implementation of human rights and preventing violations, reaching people everywhere with the human rights message, especially at the community or grass-roots level, and strengthening the partnership for human rights within and outside the United Nations system.

13. Human Rights Year will see commemorative activities by the principal United Nations bodies dealing with human rights and many individual activities organized by the specialized agencies, United Nations Programmes, non-governmental organizations and groups. The Office of the High Commissioner focuses its efforts on encouraging and coordinating these and other activities and supporting the activities organized by the Office. For this purpose, information kits on the Year are being published giving information and ideas on activities which are or could be carried out to commemorate the Universal Declaration. The first three kits deal with the Universal Declaration and the commemoration in general, with activities and initiatives relating to the human rights of women and with human rights education. A special project, entitled "Assisting Communities Together" - ACT, which is supported by voluntary funds, has been developed to provide small grants to grass-roots and local organizations to carry out practical educational, information or community-building activities in connection with the Declaration.

14. During 1998 the five-year implementation review of the Vienna Declaration and Programme of Action will also take place. Governments, the various sectors of the United Nations system and non-governmental organizations will review and report to the General Assembly on the progress made in implementing the engagements contained in the Vienna Declaration. Combined with the fiftieth anniversary, this will afford an opportunity to strengthen the promotion and protection of human rights worldwide, review and assess the progress made in human rights protection since the adoption of the Universal Declaration and the Vienna Declaration, and consider ways and means to further develop the United Nations programme to meet current and future challenges.

B. Protecting human rights in a complex world

15. There has been undeniable progress since 1948 in creating the normative and institutional structure for the international protection of human rights and some very clear progress has been made on the ground. Many new democracies have been established in all continents, military dictatorships and oppressive totalitarian regimes have been dismantled, apartheid is a thing of the past and in many countries respect for human rights has increased significantly.

16. However, the 50-year investment in human rights and the large sums of development aid have not had the impact that was hoped for. Large-scale massacres and genocide are still with us; we have twice witnessed genocide in

this decade. Further, widespread discrimination based on gender, ethnicity and religious belief is reported daily and extreme poverty and marginalization is the fate of many in both developing and developed countries. Today, there are 48 countries with more than one fifth of the population living in "absolute poverty". Some democracies are so in name only, with the fundamental decisions still being made not by elected officials, but by political, military or economic powers outside democratic control. Special rapporteurs, working groups, treaty bodies and NGOs report continuously serious and large-scale violations of human rights. Some States appear to be incapable of carrying out or to have abandoned their basic responsibility of protecting the rights to life and human security. This poses a serious and unique challenge to States and the international community.

17. Today's world is more complex than the world of 1948. The number of States has increased fourfold, and globalization has added to the problems of drug trafficking and trafficking in women and the girl child. We are made aware more graphically of violations, and the call from civil society and the moral and ethical leadership of the planet for effective action is much stronger. The increased interdependence of societies where violations in one part of the world can have serious repercussions in another also underlines the need to be effective. A study of the text of the Universal Declaration shows that the premises on which it is founded remain valid and have passed the test of time. The Declaration was a reaction to some of the most barbarous acts of human history ever witnessed and was seen as a bulwark against oppression and tyranny and a guarantee of international peace and security. Preserving the integrity of the Declaration and the ensuing international instruments it inspired as a basis for real progress should be our highest priority.

18. Faced with the serious violations of human rights in the context of today's world, some have urged the drafting of new standards or suggested raising responsibilities and duties to the level of human rights. The Vienna Declaration and Programme of Action underlined the need to preserve the high quality of existing standards and warned against the proliferation of human rights instruments. Most situations of violations can be addressed by implementing existing norms through the flexible methods already available. In some instances new procedures may need to be agreed upon or particularly vulnerable groups further protected. There is a danger, however, of undermining existing standards by giving credençe to the idea that those already agreed upon are optional, thus bringing confusion to their implementation. Duties and responsibilities are integral parts of the Universal Declaration and much can be gained by exploring their meaning and relevance within the Declaration's framework of protection for the human person.

II. THE UNITED NATIONS SYSTEM AND THE PROTECTION OF HUMAN RIGHTS

19. The international community gave the United Nations an important responsibility in the Charter to promote and protect human rights within its overall vision of a peaceful world of economic and social progress and equal respect for the human rights of women and men. In 1993 the 171 States taking part in the World Conference on Human Rights reaffirmed the Organization's

responsibilities for human rights and, later that year, the General Assembly strengthened the United Nation's capacity to act for human rights by establishing the post of High Commissioner for Human Rights.

20. Both the Vienna Declaration and Programme of Action and the High Commissioner's mandate provide a framework of basic principles as guides for the activities of the United Nations in human rights. These include the universal, indivisible, and interdependent and interrelated nature of human rights, which must be treated globally in a fair and equal manner, on the same footing and with the same emphasis. Human rights must be considered in an objective and non-selective manner without conditionality; and unilateral measures not in accordance with international law and which impede the full realization of human rights are unacceptable. The promotion and protection of all human rights is a legitimate concern of the international community and the first responsibility of Governments. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.

A. Medium-term plan 1998-2001

21. The General Assembly in December 1996 adopted the medium-term plan for the Organization for the period 1998-2001 setting out priorities and objectives. In the priority areas of work the Assembly listed, inter alia, maintenance of international peace and security, promotion of sustainable economic growth and sustainable development, development of Africa and promotion of human rights.

22. In that part of the medium-term plan devoted to human rights the Assembly brought the strands of the Charter, the Vienna Declaration and Programme of Action and the High Commissioner's mandate together to set out the objectives of the human rights programme for the period 1998-2001. The General Assembly set the purpose of the human rights programme as the promotion of universal enjoyment of all human rights by giving practical effect to the will and resolve of the world community as expressed by the United Nations.

23. The human rights programme is under the responsibility of the High Commissioner for Human Rights and has the following objectives: to provide the leading role on human rights issues; to emphasize the importance of human rights on the international and national agendas; to promote international cooperation for human rights; to stimulate and coordinate action across the whole United Nations system; to promote universal ratification and implementation of international standards; to assist in the development of new norms; to support human rights organs and treaty monitoring bodies; to anticipate serious violations and react to violations; to emphasize preventive human rights action; to promote the establishment of national human rights infrastructures; to undertake human rights field activities and operations and to provide education, information, advisory services and technical assistance in the field of human rights.

24. A number of specific objectives are to be accomplished during the period 1998-2001. These include an enhancement of international cooperation leading to improved respect for human rights at the national level, through universal ratification of human rights treaties and their incorporation into domestic legislation, and the adoption by the United Nations system of a comprehensive and integrated approach to the promotion and protection of human rights.

25. Other objectives of the plan are an integrated and multidimensional strategy for the promotion and protection of the right to development leading to a significant enhancement of support from relevant United Nations bodies for that right, and a significant increase in recognition of economic, social and cultural rights and in activities for their protection, including the integration of economic, social and cultural rights as human rights into the strategies and programmes of international organizations, agencies and financial and developmental institutions. Improvements in the treaty monitoring system, in the special procedures system and in methods to prevent violations are also set out as objectives, as are establishing a comprehensive United Nations programme of technical cooperation to help States implement national plans of action, the full integration of the human rights of women and the girl child into the United Nations system, effective measures against racism and to protect vulnerable groups, and an education and public information programme.

26. The main directions for work emerging from the medium-term plan are greater protection of human rights on the national level, achieved by improving international cooperation, and adapting United Nations machinery to current and future needs in human rights protection.

27. Building national capacity to protect and promote human rights is thus a priority objective of the human rights programme. In that context experience has shown the important contribution which national human rights institutions can make alongside such fundamental institutions as an independent and impartial judiciary, a democratically elected parliament, a free press and a strong civil society.

B. United Nations reform

28. The Secretary-General has repeatedly stressed the importance of human rights. In his reform proposals presented in July 1997 he stated that human rights are integral to the promotion of peace and security, economic prosperity and social equity. The Secretary-General set as a major task for the United Nations the enhancement of its human rights programme and its full integration into the broad range of the Organization's activities. Thus the High Commissioner for Human Rights is a member of the four relevant Executive Committees on Peace and Security, Economic and Social Affairs, Development Cooperation and Humanitarian Affairs, respectively, and of the Senior Management Group which meets weekly to advise the Secretary-General on important management and policy issues.

29. The Secretary-General also implemented the restructuring of the human rights secretariat and consolidated the High Commissioner and Centre for Human Rights into a single Office of the United Nations High Commissioner for Human

Rights (see ST/SGB/1997/10 of 12 September 1997). The Secretary-General also decided to strengthen the representation of the Office of the High Commissioner at Headquarters.

30. In the framework of the reform programme the Secretary-General asked the High Commissioner to participate in every stage of the Organization's activities in relation to actual or potential conflicts or post-conflict situations that have a human rights dimension. The High Commissioner was also asked to undertake an analysis of the technical assistance provided by United Nations entities in areas related to human rights and formulate proposals for improving complementarity of action. One of the objectives of the reform is to enable the Office of the High Commissioner to provide advice for the design of technical assistance projects and participate in needs assessment missions.

31. In connection with the support for intergovernmental processes, monitoring bodies and special procedures, the Secretary-General asked the High Commissioner to review the human rights machinery and develop recommendations on possible ways to streamline and rationalize it. Highest priority was given to strengthening and coordinating the substantive and technical support to legislative bodies, monitoring committees and special procedures.

C. Cooperation with specialized agencies and United Nations programmes

32. Achieving the objectives of the human rights programme will require greatly increased cooperation and collaboration across the entire United Nations system. The participation of the High Commissioner in the Executive Committees and the Senior Management Group has already permitted human rights issues to be addressed in a collegiate manner and for human rights elements to be integrated into the activities of the different sectors of the Secretariat. In this connection, the Secretary-General requested each Department and Programme to indicate how their activities contributed to respect for human rights. He also urged cooperation by the specialized agencies, and in that context the High Commissioner took part in the October 1997 meeting of the Administrative Committee on Coordination.

33. Cooperation is also carried out through direct contacts and agreements with the relevant agencies and programmes. Substantive issues are discussed and joint programmes and activities include the exchange of staff and the provision of basic training in human rights to all United Nations staff.

34. The High Commissioner has encouraged cooperation at the national level between United Nations agencies and programmes and has met with United Nations colleagues in Uganda, Rwanda, South Africa and Cambodia to support a more integrated approach using the framework of human rights.

35. The results of these cooperation activities are already visible. Human rights elements are increasingly incorporated in the analysis and activities of the agencies and programmes, a rights-based approach is being adopted, and there has been a significant increase in the requests by agencies and

programmes for human rights information and expertise from the Office. Strong cooperation has developed with regard to the five-year review of the Vienna Declaration and Programme of Action.

D. Restructuring the human rights secretariat

36. The Secretary-General in his bulletin of 12 September 1997 approved the new structure of the Office of the United Nations High Commissioner for Human Rights. After a lengthy and difficult staff movement process, the new structure became fully operational on 1 February 1998. On that same date, Mr. Enrique ter Horst, who had been appointed Deputy High Commissioner by the Secretary-General, joined the Office. The staff movement process enabled almost all regular budget posts to be filled after careful consideration of the qualifications, experience and performance of the often numerous applicants. The remaining few posts are being filled as expeditiously as possible.

37. As a result of the restructuring exercise, which the first High Commissioner initiated in late 1994, the human rights programme has a medium-term plan which responds to the Vienna Declaration and Programme of Action as well as other mandates, a budget structure which fits the objectives of the medium-term plan and a secretariat structure which coincides with the budget structure. In addition, each regular budget post has a classified job description showing how it contributes to the objectives of the medium-term plan and the performance assessment system is being introduced to enable staff to plan their work in relation to the objectives of the human rights programme. These different elements will form a solid basis for increased efficiency, transparency and accountability.

E. Improving the human rights machinery

38. The adaptation of United Nations human rights machinery to the current and future needs of the promotion and protection of human rights is an important objective of the Vienna Declaration and Programme of Action and the medium-term plan and is included in the High Commissioner's mandate.

39. The six committees charged with the implementation of the basic human rights treaties - the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child, the Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination and the Committee against Torture - through their review of reports, recommendations, general comments and decisions on complaints, have become an important pillar of the United Nations human rights system. The committees are confronted with a number of serious problems including multiple reporting, overdue reports, and delays in considering reports or acting on communications. Also, in reviewing reports, committees often find that progress in human rights areas outside their particular sphere is required in order to address their own concerns. These problems constitute an important challenge to the human rights treaty system.

40. Both the General Assembly and the Commission on Human Rights are considering these matters. In addition, the treaty bodies individually and through the meetings of chairpersons and of the special rapporteurs and

representatives, are also devoting much effort to addressing these difficulties. The adoption by the General Assembly of the human rights medium-term plan may help give a focus to these activities and enable each body to determine how best to contribute to the overall objectives of the programme. Decisions in these matters rest with the competent policy-making organ. The High Commissioner recognizes the importance of improving the human rights machinery and will give priority to the contribution of her Office to this effort.

III. PROMOTING AND PROTECTING ALL HUMAN RIGHTS

41. Human rights are enjoyed by individuals within their families, neighbourhoods and communities and on the local and national levels. United Nations activities must aim at furthering protection where the individual lives, that is at the "people level". Some action will seek to strengthen international understanding and capacity in the field of human rights which in turn will have an impact on individual lives. Other action will be aimed more directly at building national and local capacity to protect human rights.

A. Right to development, economic, social and cultural rights and the elimination of poverty

Right to development

42. The promotion and protection of the right to development is an important element in the human rights programme and in the mandate of the High Commissioner. Development is described by the 1986 Declaration as an economic, social, cultural and political process aiming at the constant improvement in the well-being of the population as a whole and each individual, on the basis of the individual's active, free and meaningful participation in development and in the fair distribution of the benefits of development.

43. Central to the right to development is the realization that all human rights are interdependent and indivisible and that durable economic and social progress requires respect for civil and political rights and economic, social and cultural rights. Today, this is no longer a theoretical premise, but has been shown to be true in actual sustainable development experience. Special emphasis is given in the right to development to participation. In addition, the right to development sets two levels of responsibility for implementation: the national level and the international level. Finally, under the right to development, particular attention must be given to bringing the level of effective protection of economic, social and cultural rights up to that accorded to civil and political rights.

44. The Intergovernmental Group of Experts on the Right to Development has received from the Commission on Human Rights a mandate which includes the elaboration of a strategy for the implementation and promotion of the right to development and the establishment of a follow-up mechanism. The Group has held two sessions. The High Commissioner met and exchanged views with the

Group during its last session and informed them of her strong support for the work of the Group and that attention would be given to the results of that session as contained in its report to the Commission.

45. Mobilizing the whole United Nations system for the promotion of the right to development is an important objective. The Office of the High Commissioner is now preparing a strategy paper which will involve an inventory of ongoing activities relating to the right to development. It will seek to identify partners, describe activities and establish benchmarks for progress. On the international level, such activities could include agreements to work for specific objectives relating to particular rights, seminars, staff training, exchange of staff, joint projects and the exchange of expertise. The draft will be shared with partner agencies and programmes as the basis for discussing future cooperation. Activities will also be planned for the national level with a view to strengthening national understanding of the right to development and building national capacity in that regard.

Economic, social and cultural rights

46. Economic, social and cultural rights are embodied in the International Covenant which is now binding on 137 States. The implementation of those rights is monitored by the Committee on Economic, Social and Cultural Rights. These rights also form an important part of the Copenhagen Declaration and Programme of Action adopted by the 185 States participating in the World Summit for Social Development in March 1995. That document reaffirmed the commitment of States to the rights set out in the Covenant and assigned an important role to the Committee on Economic, Social and Cultural Rights in implementing the undertakings of the Summit relating to the Covenant. In order to strengthen the work of the Committee, the Office of the High Commissioner and the Committee prepared a plan of action. Financial contributions have already been received from States and the plan of action is expected to become operational in the course of this year. The Committee devoted its most recent day of general discussion to the content and means of implementing the right to food. Further, it adopted an important general comment on the relationship between economic sanctions and respect for economic, social and cultural rights. These rights are also included in the Convention on the Rights of the Child, which has 191 States parties.

47. Both the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities pay close attention to the promotion and protection of economic, social and cultural rights. Work has been carried out in the past by special rapporteurs on the realization of economic, social and cultural rights, human rights and extreme poverty, and the right to adequate housing. At present, the study on the right to food is being revised and updated, a study on impunity for violations of economic, social and cultural rights has been prepared, and a report on income distribution is scheduled for discussion at the next session of the Sub-Commission in August. Two other activities which are relevant to all human rights in general and to economic, social and cultural rights in particular are the activities of the open-ended working group on structural adjustment programmes and economic, social and cultural rights and the study on the adverse effects of the illicit movement and dumping of toxic wastes on human rights.

48. Assisting States in giving effect to economic, social and cultural rights and the right to development through the technical cooperation programme in the field of human rights is an important objective set by the medium-term plan. A study of how that can be achieved has been undertaken with the assistance of a consultant. The study is near completion and the conclusions and recommendations will be given the closest attention, especially within the context of the system-wide review of human rights technical cooperation activities now under way. This review will also help to ensure respect for the economic, social and cultural rights of women and to deal with the specific obstacles preventing their full enjoyment. The Office of the High Commissioner assisted in planning and took part in an expert group meeting on promoting women's enjoyment of their economic and social rights, organized by the Division for the Advancement of Women in December 1997, and assisted in the preparation of a report on the issue to be submitted to the Commission on the Status of Women and the Commission on Human Rights.

Elimination of poverty

49. Eliminating poverty is becoming one of the unifying themes for United Nations activities in development. We are now beginning to realize the crucial importance of the reduction of extreme poverty and exclusion to achieving our other objectives in the economic and social fields. Some 25 per cent of the population in the developing world live in extreme poverty and the percentage of those living in poverty in the developed world is increasing.

50. Poverty is a term covering the violation or non-respect for a wide range of human rights. Effective action against poverty therefore involves more than economic, financial or development decisions. It will require action to re-establish respect for economic, social and cultural rights, but also such rights as participation in government and in decision-making by public authorities, a just and effective legal system, freedom of expression, and non-discrimination and, in particular, respect for the human rights of women. Human rights should become a strong component of the efforts of the international and national communities in addressing poverty, in providing the ethical foundation for action against poverty and the difficult decisions such action can entail, and helping those living in poverty in their struggle for social justice. An important element in these measures will be closely associating the organizations representing the poor, and the poor themselves, in planning, implementing and evaluating programmes and projects.

51. The human rights machinery has a crucial contribution to make in the elimination of poverty, in particular by holding a dialogue with Governments, helping set targets and measuring progress. The Committee on Economic, Social and Cultural Rights in implementing the Covenant and in its actions relating to the Copenhagen Declaration - which contains precise targets for poverty reduction - will play a key role. The Committee on the Rights of the Child will also be important in this regard. The High Commissioner intends the human rights programme to have a special focus on poverty elimination and to give a human rights dimension to the Secretary-General's actions.

Promoting the right to development and economic, social and cultural rights through the United Nations system

52. The agencies and programmes of the United Nations system are increasingly directing their activities toward the promotion of all human rights including the right to development. The United Nations Development Programme has just taken a most significant initiative in that direction. On 30 January 1998, the Administrator published a UNDP policy document entitled "Integrating human rights with sustainable human development". That document, which in addition to the Foreword by the Administrator contains a message from the High Commissioner for Human Rights, was drafted in consultation with the High Commissioner's Office and gives effect to the Secretary-General's placing of human rights as a central, cross-cutting objective for the whole Organization. The document takes the realization of the right to development as its starting point, deals with the human rights implications for sustainable human development, the mainstreaming of UNDP support for human rights and ways of implementing the strategy, including working with the Office of the High Commissioner for Human Rights.

53. The commitment of UNDP to human rights opens significant areas for real progress on the ground and is a very important step towards the objective of having the entire United Nations work for human rights. It will require the human rights organs to invest efforts in supporting UNDP's initiative and in responding to the needs for human rights expertise. Follow-up discussions are now under way relating to a joint symposium on human rights and a project for assisting States in the ratification of human rights treaties.

54. Other agencies and programmes have also taken measures to contribute to human rights. For some time UNICEF has adopted the Convention on the Rights of the Child as a basis for dialogue with Governments and UNICEF continues to be a strong supporter of the work of the Committee on the Rights of the Child and other child rights initiatives, in particular that relating to children in armed conflict. Close contacts are now developing with the United Nations Conference on Trade and Development with a view to sharing expertise in areas relating to economic development and human rights.

55. Promoting and protecting the right to food has led to cooperation between the Office of the High Commissioner and the Food and Agriculture Organization of the United Nations. The Office participated in the April 1997 meeting of the Committee on World Food Security and made a substantive contribution to the World Food Forum held in November 1997. The Office and the FAO jointly organized a one-day consultation on the right to food in December 1997 in connection with meetings of the Committee on Economic, Social and Cultural Rights. Priority will be given to following up initial contacts with the World Bank on human rights issues and extend consultations to the International Monetary Fund and the World Trade Organization.

56. The United Nations regional commissions, which have the advantage of being close to national structures and concerns, are important partners in promoting the rights to development and all human rights. The first High Commissioner and the Executive Secretaries met on two occasions to discuss strengthening relations between human rights and the preoccupations of the commissions. As a result of the two meetings it was agreed, inter alia, to

proceed with the organization on a regional basis of meetings with national planning agencies or similar authorities to discuss various human rights issues. These are matters which the High Commissioner will be following up within the context of an overall plan.

B. Strengthening national protection of human rights: ratifications, national institutions and national plans of action

Universal ratification of human rights treaties

57. Universal ratification of United Nations human rights treaties was set as a high priority by the World Conference on Human Rights which requested that special attention should be given to assessing progress during the five-year review of the Vienna Declaration and Programme of Action in 1998. The World Conference set two specific goals: universal ratification of the Convention on the Rights of the Child by 1995 and of the Convention on the Elimination of All Forms of Discrimination against Women by the year 2000.

58. On 1 December 1997, the Secretary-General wrote to all Heads of State or Government and, underlining the importance of universal ratification, in particular of the two conventions mentioned above, called upon each Government to ratify the human rights treaties to which they were not yet party and develop national plans of action to promote greater respect for human rights. The High Commissioner has written to all States urging ratification and offering assistance to help in addressing any obstacles to ratification. Positive responses from Governments to these appeals have been received. As part of the process of enhancing understanding of the human rights instruments and encouraging ratifications, a regional meeting was organized by the Office in Jordan in September 1997.

59. At the end of January 1998 the status of ratification of the basic human rights treaties was as follows: International Covenant on Economic, Social and Cultural Rights, 137 States (2 additional ratifications in 1997); International Covenant on Civil and Political Rights, 140 States, an increase of 4; Convention on the Rights of the Child, 191 States, an increase of 3; International Convention on the Elimination of All Forms of Racial Discrimination, 150 States, an increase of 2; Convention on the Elimination of All Forms of Discrimination against Women, 161 States, an increase of 7. The International Convention on the Rights of All Migrant Workers and Members of Their Families has been ratified by 9 States, but unfortunately is not yet in force. The Optional Protocol to the International Covenant on Civil and Political Rights providing for individual complaints saw 3 new ratifications and the announcement of 1 withdrawal, for a total of 92 States parties; the Second Optional Protocol on the abolition of the death penalty has 2 additional ratifications for a total of 31 States parties.

60. As the above figures show, a significant effort will be required to achieve universal ratification of these human rights treaties. Every human being on earth merits the protection afforded by United Nations human rights treaties and the High Commissioner intends to give priority to helping ensure that no one falls outside that protection. She is particularly concerned at attempts to remove that protection and welcomes the general comment of the

Human Rights Committee which concludes that international law does not allow a country to denounce the International Covenant on Civil and Political Rights. She hopes to be able to report to the General Assembly on 10 December of this year significant progress towards universal ratification.

National institutions for the promotion and protection of human rights

61. The promotion and protection of human rights on the national level is greatly enhanced by independent national human rights institutions which can provide education and training in human rights, make recommendations on necessary reforms and investigate complaints of violations. Such institutions made an important contribution to the World Conference on Human Rights, which urged Governments to strengthen national institutions, recommended that the United Nations provide support for that purpose and encouraged periodic meetings between national institutions.

62. In 1995 the first High Commissioner initiated a special programme to expand the work on national institutions and since then there has been a rapid increase in the number of countries requesting assistance from the Office of the High Commissioner to establish such institutions. Our current initiatives fall broadly into two categories - support for the establishment and strengthening of national institutions in individual States and support for the creation and effective operation of regional organizations designed to foster the growth of such institutions. Advice or assistance has been provided during the past 12 months to Armenia, Bangladesh, Cambodia, Fiji, Georgia, Liberia, Malawi, Madagascar, Mauritius, Mongolia, Nepal, Papua New Guinea, Rwanda, South Africa, Sri Lanka, Thailand, Uganda and Zambia. New requests for assistance are constantly being received.

63. The position is also encouraging with respect to the creation of regional forums. There are now regional associations or periodic meetings of national institutions in Africa, the Asian-Pacific region, Latin America and Europe. In September 1997 a meeting of national institutions in the Asian-Pacific region was held in New Delhi and in November 1997 the Fourth International Workshop of National Institutions was held in Mexico. Both meetings underlined the important role of these institutions in protecting human rights and called for improvements in their functioning and increased international support, in particular from the Office of the High Commissioner for Human Rights. A meeting of the Coordinating Committee of National Institutions is scheduled during the fifty-fourth session of the Commission.

64. In order to effectively respond to requests for assistance the High Commissioner has decided to expand the project commenced by her predecessor and to effectively bring this work into the mainstream of activities coordinated by her Office. This will include staff training, support for system-wide coordination of activities relating to national institutions, contacts with regional organizations, collaboration with academic institutions, implementation and evaluation of projects in specific countries and support for the regional and international associations of national institutions. It is important that the interdependence of human rights be reflected in the work of national institutions. The High Commissioner therefore welcomes and encourages the extension of their areas of concern to economic, social and cultural rights where that is not already the case.

National plans of action

65. The World Conference on Human Rights recommended that each State consider drawing up national plans of action identifying steps to improve the promotion and protection of human rights, and it called upon the United Nations human rights programme to provide assistance to implement those plans. Such plans, which can be relatively simple or prepared in great detail, depending on the circumstances, can set national priorities, targets and benchmarks, allocate resources and provide for periodic evaluations of progress and obstacles. The preparation of such plans, by involving a wide range of social institutions and civil society, can help build understanding and support for action to promote human rights. National plans of action also help focus and coordinate technical cooperation assistance in human rights. In December 1997, the High Commissioner took part in the announcement of the South African National Human Rights Action Plan, which is being developed by the South African Commission on Human Rights with the advice and support of the Office of the High Commissioner for Human Rights.

C. Technical cooperation for human rights

66. The technical cooperation programme in the field of human rights has become one of our major instruments for improving the enjoyment of human rights on the national level. The World Conference called for a strengthened system of advisory services within its priority of promoting democracy, development and human rights and the General Assembly gave specific responsibility to the High Commissioner to provide advisory services and technical and financial assistance to States and regional organizations.

67. The technical cooperation programme offers a wide range of assistance including in incorporating international human rights standards in national laws, policies and practices and building national capacity and regional structures for the promotion and protection of human rights. The programme provides human rights training and support to parliaments, the judiciary, and police, military and prison officials; constitutional assistance; legislative reform and the administration of justice; the establishment and strengthening of national human rights institutions; the human rights aspects of free and fair elections; the promotion of human rights education, including curriculum development; and support to non-governmental organizations (NGOs) and civil society institutions. Expert advice and assistance is also available for human rights issues, such as the formulation and implementation of comprehensive human rights national plans of action.

68. Technical cooperation projects are developed in close cooperation with the requesting Government and the United Nations agencies present in the country concerned. Assistance may take the form of expertise, advisory services, training courses, workshops and seminars, fellowships, grants and the provision of information and documentation. Implementation of comprehensive and long-term projects may require the presence of project experts based in the country.

69. There has been a continuous growth in requests for assistance under the technical cooperation programme. Projects are funded by the regular budget of the United Nations and through contributions to the Voluntary Fund for

Technical Cooperation in the Field of Human Rights; that Fund is administered by the Secretary-General with the advice of a Board of Trustees. During 1997, a total of 43 technical cooperation projects were carried out, of which 25 were at the national level, 9 at the regional level and 9 at the global level. As for the level of financial resources available to the programme, voluntary contributions have increased by approximately 17 per cent over the past year. The regular budget resources for technical cooperation in the field of human rights for the biennium 1998-1999 is US$ 3,359,000. The resources available do not permit all requests to be implemented and a significant increase will be necessary if the programme is to be effectively carried out.

70. In the context of the integration of human rights into all the activities of the United Nations, the Secretary-General's programme of reform of July 1997 referred to the technical cooperation in human rights provided by the human rights programme and other entities of the Organization and stated that better coordination would enhance the impact of these activities and reduce their overall costs. The report stated that the Office of the High Commissioner should be able to provide its advice for the design of technical assistance projects and participate in needs assessment missions.

71. The High Commissioner was thus requested to undertake an analysis of the technical assistance provided by the United Nations entities in areas related to human rights and formulate proposals for improving complementarity of action. A project for carrying out that analysis has been prepared and is now in the initial stages of implementation. It will be carried out in cooperation with the concerned agencies and programmes and is aimed at enhancing the impact of human rights technical cooperation activities, improving project formulation, strengthening cooperation and reducing costs by emphasizing the comparative advantage of each entity. An important objective will be to ensure that all human rights technical cooperation activities aim at implementing United Nations human rights standards. Steps in the direction of improving coordination and enhancing effectiveness have already been taken, in particular with respect to UNDP. It is the intention of the High Commissioner to deepen that cooperation and to extend it to other technical cooperation agencies of the system.

72. As part of the above analysis an in-depth review of the human rights technical assistance programme administered by the Office of the High Commissioner will be carried out. An important objective of the programme should be to assist States in implementing recommendations of competent human rights organs such as treaty bodies. A start has been made with the Committee on the Rights of the Child by focusing the attention of the Office and the relevant agencies on the Committee's recommendations and the possible needs for assistance that they entail. Priority will be given to assisting countries in transition to democracy and specific projects implementing the right to development, economic, social and cultural rights, and strengthening respect for the human rights of women should be developed and implemented.

D. Equality, tolerance, racism and racial discrimination

73. Central to the Charter of the United Nations and the Universal Declaration of Human Rights is the principle of human equality. The horrors of the mass extermination of people because of their race were clearly in the

minds of the drafters of both documents who set the promotion of equality and the elimination of discrimination as a priority objective of the Organization. Since 1948 the United Nations has adopted several instruments and set up a number of procedures to fight against racism and racial discrimination. The Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance are three examples.

74. Racism and racial discrimination have not been eliminated, and today the international community is faced with a very serious resurgence of racism in the form of xenophobia, ethnic cleansing and attacks on migrant workers and minorities. These are grave dangers not only for the direct victims, but also for societies as a whole as racism can engender serious conflict and undermine the overall freedom and prosperity of a community. It is perhaps more difficult to deal with contemporary forms of racism than it was to confront the State-sponsored racism of apartheid, but it is nonetheless urgent to do so effectively.

75. The Third Decade to Combat Racism and Racial Discrimination, which began in 1993, provides an important framework for action against racism. It is to be regretted that so few of the activities foreseen in the Programme of Action for the Decade have been carried out and that voluntary contributions to the Trust Fund for the Decade have remained insufficient. Two recent activities within the framework of the Decade merit particular attention.

76. The seminar on immigration, racism and racial discrimination which took place in May 1997 made some very useful recommendations relating to the value of immigration, its relation to wider economic and social factors, and the need for States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

77. In November 1997 another seminar took place on the role of the Internet with regard to the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination with the participation of leading experts in the field. The seminar addressed the very shocking information on the increasing number of racist and hate sites on the World Wide Web and dealt with issues such as the possibility of blocking certain material, prohibiting propaganda on the Internet, strategies for fighting racism, and elements of codes of conduct and good practices for the Internet. The difficulty of finding an effective way to block racist material while protecting freedom of expression was discussed in depth. Several suggestions emerged on possible ways of following up on the seminar and careful consideration will have to be given to the most effective approaches to this very important challenge to human equality.

78. Educating people to respect each human being and her or his differences is an essential tool in the efforts to eliminate racism. It is thus particularly welcome that the two leading expert bodies in the field of racism and racial discrimination, the Committee on the Elimination of Racial Discrimination and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, are working together on a joint paper on implementing the provision of the International Convention on the Elimination

of Racial Discrimination dealing with teaching and education against racism. The results will assist States parties in fulfilling their obligations under the Convention and make an important contribution to the United Nations Decade for Human Rights Education.

79. The General Assembly has decided to convene a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance not later than the year 2001. The Conference's objectives include reviewing progress in the fight against racism, considering ways to better implement existing standards, increasing the level of awareness about the dangers of racism, and reviewing the political, historical, economic, social, cultural and other factors leading to racism and racial discrimination. It will be called upon to make the appropriate recommendations for action.

80. This Conference presents the international community, and national and local society as well, with a unique opportunity to confront the scourge of racism and racial discrimination, in all its contemporary forms, to decide on what action is required and to mobilize support at all levels to make needed action possible and effective. The success of the Conference will be greatly influenced by the participation of all competent United Nations bodies, the specialized agencies, regional organizations and, especially, non-governmental organizations, and it will require the allocation of sufficient resources. The High Commissioner intends to make the preparations for this Conference one of her highest priorities.

E. Gender and the human rights of women

81. The World Conference on Human Rights set as a priority for Governments and the United Nations the achievement of the full and equal enjoyment by women of all human rights. The Fourth World Conference on Women reaffirmed that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights and established a number of specific strategic objectives to ensure that women enjoy their full human rights. The challenge set by these two Conferences is substantial. Women represent over half the world's population and face serious inequalities, both in law and in practice, in virtually all societies and spheres of activity. Women constitute the overwhelming majority of people living in poverty, they represent the majority of the world's illiterate, they work more hours than men, their work remains mostly undervalued and their participation in economic and political decision-making remains very limited.

82. One of the important means of achieving the objective of full respect for the human rights of women is the mainstreaming of the human rights of women in the activities of the human rights programme and in all activities of the United Nations. The Secretary-General has taken the lead in implementing the Economic and Social Council agreed conclusions relating to gender mainstreaming throughout the United Nations system. The High Commissioner is intensifying efforts to integrate a gender perspective in all human rights activities and to help ensure that the human rights of women are included as an important element of all activities of the system.

83. Several of the human rights treaty implementation bodies are giving increasing attention to the gender dimension of their work. The Committee on

Economic, Social and Cultural Rights, for example, has amended its guidelines for reporting to request gender-related information de facto and de jure. The most recent meeting of chairpersons of treaty bodies continued to focus attention on this issue and requested the Division for the Advancement of Women to prepare a background paper on the subject for the next meeting. The meeting also requested that a seminar be organized to consider how a gender perspective can be incorporated into revisions of general comments, recommendations and guidelines. The Office will facilitate the organization of this seminar as well as other practical initiatives aimed at improving the work of the treaty bodies from this important perspective.

84. The special procedures mechanisms (special rapporteurs and working groups) are also being encouraged to integrate a gender perspective into their work. Such a perspective can be gained through, for example, providing information disaggregated by sex; identifying gender-specific violations (in terms of both nature and consequences); and formulating appropriate responses. Much remains to be done in each of these areas and the Office has an important role to play in assisting the special procedures mechanisms. The development and application of a gender-sensitive methodology covering the fact-finding process will be an essential step in this process.

85. Ensuring that the technical cooperation activities in the field of human rights include the human rights of women and contribute to their promotion is an important objective of the Office. A project aimed at facilitating the integration of gender into all technical cooperation projects is now being implemented. The project has entailed making a detailed assessment of current technical cooperation practices with respect to gender; collecting, collating and analysing gender integration expertise from other United Nations technical cooperation agencies; developing draft procedures and guidelines; and field-testing these in the context of selected technical cooperation projects and activities. In recognition of the link between gender and economic, social and cultural rights, the project is being implemented in conjunction with a similar initiative aimed at integrating economic, social and cultural rights in technical cooperation.

86. The activities in celebration of the fiftieth anniversary of the Universal Declaration of Human Rights have provided an occasion to underline the importance of the human rights of women. The second information kit for the anniversary produced by the Office is entitled "Women's Rights, the Responsibility of All". The feature article of that kit examines and analyses the role of the United Nations in promoting the human rights of women. The kit also contains information on the activities of the United Nations system relating to the rights of women which will be carried out in 1998. In addition, information on activities relating to the human rights of women was provided by non-governmental organizations from many parts of the world. Other initiatives will be taken during 1998 in Geneva, New York and elsewhere to promote respect for the human rights of women.

87. Cooperation between the Office of the High Commissioner and the Division for the Advancement of Women, the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women is being strengthened. A revised joint work plan between the Division and the Office has been agreed, periodic meetings with the Secretary-General's Special

Adviser on Gender and the Advancement of Women take place, and the Office is increasing its substantive contribution and participation in the meetings of the organs relating to the status of women and discrimination against women. Computer links have been set up to enable the exchange of documents and the Division has been invited to attend meetings of the pre-sessional working group of the Human Rights Committee to provide relevant information from the work of CEDAW.

88. The Office of the High Commissioner collaborated with the Division in preparing an analysis of ways of promoting the enjoyment by women of economic, social and cultural rights and participated in an expert group meeting on that subject held in Finland in December 1997. Cooperation is also taking place with the United Nations Development Fund for Women with regard to the inclusion of the gender and human rights of women perspective in the work of treaty bodies and special rapporteurs. Cooperation is being planned with the United Nations Population Fund concerning reproductive health rights and discussions are taking place concerning the secondment of a qualified staff member to the Office in Geneva.

89. The Office is also working with UNDP on the organization of a regional meeting on "Gender Equality, Equal Access to Opportunities and Democratic Instruments" scheduled to be held in Yalta, Ukraine, later this year.

90. Staff sensitivity to gender and expertise in the human rights of women will be essential to the success of many of the initiatives outlined above. Accordingly, a comprehensive programme of training, covering all staff of the Office, will be developed and implemented during 1998.

91. In recognition of the fact that the human rights of women are an essential part of the High Commissioner's mandate, a policy on gender and a strategy for its effective implementation are currently being developed. The objective is to ensure that the United Nations human rights system - and the individuals of which it is composed - has the capacity and the commitment to integrate a genuine gender perspective into all aspects of its work.

F. Protecting vulnerable groups: indigenous populations, minorities, migrant workers and children

Indigenous populations

92. The protection of the rights of indigenous populations is a major concern of the human rights programme. There are some 300 million indigenous people living in at least 60 States and very often they are subjected to serious human rights violations. They look to the United Nations for assistance in defending their rights. The meetings of the Working Group on Indigenous Populations, with some 1,000 participants, and the working group of the Commission on Human Rights on the draft declaration on the rights of indigenous people, with over 400 participants, are two of the largest human rights meetings held annually.

93. The General Assembly proclaimed 1995-2004 the International Decade for the World's Indigenous People and established a Voluntary Fund to assist indigenous organizations with training and capacity-building. In 1997 over

US$ 100,000 were committed to support such activities and, under the Indigenous Fellowship Programme, four indigenous persons received fellowships to follow a human rights training programme in Geneva. Assistance is also provided to enable indigenous persons to take part in the two working groups mentioned above and in workshops, such as the second workshop on a permanent forum for indigenous people within the United Nations system (June/July 1997) and the workshop for indigenous journalists (January 1998).

94. The adoption of a declaration on the rights of indigenous people, the establishment of a permanent forum for indigenous people within the United Nations and the improvement in the living conditions of indigenous people are priority objectives of the human rights programme. In order to ensure that these issues are dealt with effectively, a cross-branch indigenous project team has been established within the Office of the High Commissioner.

Minorities

95. The protection of the rights of persons belonging to a minority has been of international concern since the League of Nations. The United Nations from its founding has given attention to this subject including provisions relating to the protection of minorities in numerous treaties and declarations and giving a specific mandate in that regard to the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

96. In 1992 the General Assembly adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and in 1995 a Working Group on Minorities was established by the Commission. The Working Group provides a unique forum for dialogue on minority rights issues and for seeking constructive solutions to problems involving minorities. Recent history has shown the serious violations to which minorities can be subjected, for example ethnic cleansing, and it is of high importance that the United Nations make its contribution to preventing violations of minority rights and promoting respect for minorities. Careful consideration should be given to the recommendations of the Working Group including those relating to the establishment of a database on good practices relating to minorities, and to existing recourse mechanisms. The Office of the High Commissioner has taken the initiative to organize inter-agency consultations on minorities. Three have been held so far.

Migrant workers

97. The human rights situation of migrant workers and the members of their families is of serious concern to the United Nations. This is particularly true in light of the increasing reports of acts of discrimination, racism and xenophobia directed at migrants. And migrant workers are often the first victims of economic crisis. Unfortunately, and as indicated above, the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has not entered into force due to insufficient ratifications.

98. In an important step towards improving the protection afforded to the rights of migrants, the Commission on Human Rights established in 1997 an intergovernmental working group of experts to gather information on the

obstacles to the effective and full protection of the human rights of migrants and elaborate recommendations to strengthen the protection of the human rights of migrants. The working group will be reporting to the Commission on its first two sessions.

Children

99. The Convention on the Rights of the Child, with some 191 States parties, is the most widely ratified human rights treaty. The Committee on the Rights of the Child, which is responsible for monitoring implementation of the Convention's rights, has adopted working methods which closely associate the programmes and agencies of the United Nations system dealing with children's issues and which allow non-governmental organizations to make an important contribution to its activities. The Committee benefits from the close collaboration with UNICEF.

100. In order to strengthen the work of the Committee and to assist in implementing the holistic approach the Committee has adopted, the Office of the High Commissioner, in collaboration with the Committee and UNICEF, developed a plan of action. That plan of action provides for assistance in preparing information for the Committee, in developing possible solutions to problems and in designing technical cooperation projects which would help implement the Committee's recommendations. The plan of action, thanks to voluntary contributions from States, began to function last year and already has had a positive impact.

101. The human rights programme has a number of other activities aimed at protecting the rights of the child. Among them are the Special Rapporteur on the sale of children, child prostitution and child pornography and the Secretary-General's Special Representative on children in armed conflict. The Special Rapporteur on violence against women deals with violations of the rights of the girl child. Working groups of the Commission on Human Rights are now drafting an optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts and another optional protocol on the sale of children, child prostitution and child pornography. An important objective will be to bring these various activities into a more sustained focus on the rights of the child with each making the contribution for which it is best suited, aware of the related activities of other actors.

G. Human rights education

102. The Universal Declaration of Human Rights saw education as a prime means for the promotion and protection of human rights. The 1993 World Conference, for its part, stated that human rights education, training and public information were essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace. Pursuant to a suggestion of the World Conference, the General Assembly proclaimed the 10-year period 1995-2004 the United Nations Decade for Human Rights Education, welcomed the Plan of Action for the Decade prepared by the Secretary-General and urged governmental and non-governmental authorities to implement the recommendations contained in the plan, in particular by preparing national plans for human rights education.

103. The Plan of Action for the Decade has five objectives: assessment of needs and formulation of strategies; building and strengthening human rights education programmes at all levels; developing educational materials; strengthening the role of the mass media; and global dissemination of the Universal Declaration. An important component of the Plan is encouraging and supporting Governments in setting up national committees for human rights education and preparing national plans of action for human rights education. This would be done with the involvement of a wide range of actors, including governmental entities and non-governmental organizations. In order to assist in implementing the Plan, a global project was prepared and approved within the technical cooperation programme for human rights.

104. To help States in formulating national plans of action and in setting up national committees for human rights education, the Office of the High Commissioner prepared guidelines for national plans of action for human rights education with the assistance of several experts in human rights education and in cooperation with the United Nations Educational, Scientific and Cultural Organization and the Council of Europe. These guidelines were submitted to the General Assembly and will be transmitted to all Governments jointly by the Director-General of UNESCO and the High Commissioner for Human Rights along with the request that consideration be given to preparing a national plan of action and establishing or identifying a national committee.

105. Within the framework of the Decade a survey questionnaire has been prepared and will be sent to Governments, institutions and organizations in order to prepare an inventory of existing programmes, materials and organizations in human rights education. The results will be posted on the Office's Website as a resource and for reference. In addition, a human rights trainers guide and six training manuals (human rights monitors, primary and secondary school teachers, national and local non-governmental organizations, journalists, judges and lawyers, and prison officials) designed, with the help of expert advisers, to facilitate human rights education and teaching, are in various stages of preparation.

106. A major objective of the Decade is the global dissemination of the Universal Declaration of Human Rights in as many languages as possible. The Office of the High Commissioner has over 200 language versions of the Declaration of which 60 are available on the Office's Website. Additional languages will be made available progressively on the Website and translations will continue to be made. In addition, the Office has some 50 artistic or other forms of the Universal Declaration. Because of the importance of the Declaration and human rights education, the Director-General of UNESCO and the High Commissioner wrote to all Ministers of Education encouraging them to make the Universal Declaration available in all schools in the national language(s). To assist, materials, including a model poster and chromatic films from which national language versions could be prepared, were provided. The poster itself is suitable for a game during which the meaning of the various articles can be discussed.

107. The Decade has shown itself to be a catalyst for action on the national and local levels. Information received by the Office describes initiatives in some 30 countries in every region to adopt national plans of action, set up national committees, revise curricula or launch other activities for human

rights education. Last year in Finland, UNESCO, in consultation with the Office, organized a regional seminar to promote human rights education and the establishment of national committees, and later this year a regional meeting in Asia is planned.

108. The work on human rights education is just beginning and achieving the targets will require close cooperation between all concerned. Already good working relationships have been established with UNESCO and the Council of Europe, for example, and the High Commissioner will be seeking to strengthen this and extend it to other organizations. The Office will be giving particular attention to encouraging the establishment of national committees and the preparation of national plans of action and to the finalization of training and teaching materials.

H. Responding to violations of human rights

109. Individuals and peoples throughout the world turn daily to the United Nations with appeals to remedy human rights violations, bring such violations to an end and act to prevent violations. And they judge the United Nations by the effectiveness of its responses.

110. The responsibility of the human rights programme to anticipate serious violations of human rights, react to violations and prevent violations is included in the medium-term plan and has become a major component of the activities of human rights bodies. The annual discussion by the Commission on Human Rights of violations of human rights is an example. It is a unique worldwide forum for raising, discussing and clarifying allegations of a wide range of serious violations. Not every allegation or report of violation proves to be correct, just as not every denial proves to be justified. However, the Commission has made an irreplaceable contribution to ending serious violations, such as apartheid, and will certainly do so in the future. And it must not be forgotten that, had the international community heeded the warnings about Rwanda presented to the Commission, that terrible genocide might have been averted.

111. Over the years, the Commission's debates and decisions have given rise to the system of fact-finding and reporting through independent experts designated as special rapporteurs or as members of working groups. They are entrusted with carefully analysing allegations of human rights violations and government information, informing the Commission and the General Assembly of their findings and making pertinent recommendations. The crucial value of these procedures to saving lives, preventing violations and helping to resolve serious situations of violation has been fully acknowledged. The World Conference on Human Rights recognized the importance of these procedures and called for their preservation and strengthening.

112. The thematic mechanisms cover a wide range of issues including racism and racial discrimination, the protection of particularly vulnerable groups, such as children and internally displaced persons, the protection of certain fundamental rights, such as freedom of expression and belief, and particularly serious violations of physical integrity such as violence against women, summary or arbitrary executions, enforced disappearances and torture. Recently added was the subject of the adverse effects of the illicit

movement and dumping of toxic wastes, which can endanger large numbers of people, in particular in developing countries. Each of these procedures, in accordance with its own mandate, responds to individual cases of alleged violations. In 1997 over 5,000 cases were transmitted to Governments of which close to 400 were urgent interventions designed to prevent possible violations, particularly in the areas of disappearances, torture and executions. In addition, fact-finding missions to 14 countries were organized.

113. The Commission has also established fact-finding mandates with regard to some 16 countries or territories charged with reporting to it and, in some cases, to the General Assembly annually. Last year these special rapporteurs, representatives or independent experts carried out missions to a number of countries.

114. The effectiveness of these various mechanisms requires cooperation from Governments in the form of invitations to visit, responses to requests for information and the implementation of recommendations. Further, the obligation not to subject individuals who have provided information to these procedures to adverse treatment or reprisals must be fully respected.

115. In order to be able to provide the international community with the impartially analysed information which is essential to human rights policy-making, the experts of the special procedures system must be secure in the enjoyment of the privileges and immunities due to them as experts on mission for the United Nations. The scrupulous respect for these rights by Member States is essential under the 1946 Convention on the Privileges and Immunities of the United Nations and the 1989 Advisory Opinion of the International Court of Justice.

116. The most recent meeting of special rapporteurs showed that preserving and strengthening the special procedures system raises a number of important questions, many of which are already being addressed: How to improve coordination and reduce unnecessary overlap? How to relate with the committees charged with implementing treaties? How to improve the impact of the appeals, conclusions and recommendations? The meeting of special procedures has been dealing with the relationship between their activities and those of the High Commissioner and that will be discussed at their next session. The High Commissioner strongly supports the action of the special procedures mandates and wishes to respect their responsibilities, while at the same time carry out the responsibilities of the High Commissioner's mandate.

I. Human rights field activities

117. One of the most important evolutions in the human rights programme in the last few years has been the increasing call of Governments and United Nations bodies for the programme to carry out activities at the country level. Today, human rights field activities are being carried out through offices or presences in 15 countries or territories staffed by over 200 individuals. The mandates for these presences come from resolutions or decisions of the Security Council, the Commission on Human Rights, or are the result of agreements between the High Commissioner and the country concerned.

118. The overall purpose of these presences is to support improvements in the enjoyment of human rights for the people of the country concerned. Within that framework, and in accordance with the requirements of the situation and the specific terms of the mandate or agreement, the activities focus on providing technical cooperation or they combine assistance with an element of information collection, analysis and reporting relating to the human rights situation as a whole and to alleged violations. In certain instances, the presences through their monitoring and protection activities help create the conditions for and assist in ensuring the safe return of refugees or displaced persons.

119. The human rights field offices in Gaza, Malawi, Mongolia and South Africa are charged with carrying out technical cooperation programmes in national capacity-building, education, training, law revision and similar activities. The offices in Angola, Bosnia and Herzegovina, Burundi, Cambodia, Colombia, Croatia, the Democratic Republic of the Congo, the Federal Republic of Yugoslavia, the former Yugoslav Republic of Macedonia, Georgia (Abkhazia) and Rwanda are charged with both technical cooperation activities and information collection, analysis and reporting. These field offices are organized in a number of ways. Some are part of wider United Nations presences, while some are organized in cooperation with other organizations such as the Organization for Security and Cooperation in Europe or are offices directly set up by the Office of the High Commissioner for Human Rights. In all cases close cooperation is maintained with other organizations or programmes, in particular the Office of the United Nations High Commissioner for Refugees.

120. These presences or offices enable the human rights programme to reach many millions of people more directly and with a better understanding of their needs than would otherwise be possible. Financing these presences has always been a significant problem. In the past, the great majority of the funding has been on a voluntary basis. Funding was short term and often insufficient to cover all costs, which caused significant difficulties in staffing and long-term planning. Recently, and in joint operations, the costs for the projects have been included in the regular budgets of wider United Nations activities.

121. The High Commissioner has visited the offices in Rwanda, South Africa and Cambodia and intends to visit the others as soon as possible. In Rwanda and Cambodia she has seen the very important work being carried out in sometimes very difficult circumstances. In South Africa she witnessed the beginning of a project which holds the promise of making a real contribution to promoting human rights in that country. She is focusing priority attention on all the field presences in order to be able to obtain the best results and to support them from Geneva in the most efficient and effective way possible.

J. Civil society and non-governmental organizations

122. The Secretary-General in his reform proposals of July 1997 recognized the importance of civil society, non-governmental organizations and non-State actors to achieving the overall purposes of the United Nations, including in human rights. Historically, non-governmental organizations have been crucial

to the human rights programme from the inclusion of the human rights clauses in the Charter to the development of standards and methods of implementation.

123. The World Conference on Human Rights was a watershed in NGO involvement: both traditional NGOs in consultative status and grass-roots organizations from all regions participated in the preparations for the Conference and in the Conference itself. The Conference recommended that NGOs and grass-roots organizations be enabled to play a major role at the international and national levels in the debate, activities and implementation relating to the right to development. Achieving this objective is a key challenge today. The High Commissioner has given importance to establishing contacts with the NGO community in Geneva and New York and meets with non-governmental organizations prior to and during her missions outside Geneva.

124. The impact of NGOs, even of modest size, can be significant. The International Campaign to Ban Landmines played an irreplaceable role in the conclusion of the recent landmine convention. During her country visits the High Commissioner has seen the enormous work local organizations do with great courage and at considerable personal risk. NGOs nationally and internationally are important in human rights education, in human rights advocacy, in representing and protecting victims, in providing expertise and in collecting and disseminating information. Increasingly, NGOs are also involved in the implementation of projects on the ground, for example in the area of education or in assistance to torture victims.

125. The role of non-governmental organizations in the implementation of human rights treaties merits attention. With the help of UNICEF, child rights NGOs have been involved in the discussions relating to the preparation of government reports, have submitted their own information to the Committee on the Rights of the Child, have attended the Committee's discussion of the report and have been associated at the national level with the implementation of the Committee's recommendations. Fostering these active partnerships in which NGOs together and in company with government agencies and international entities work for a common objective is an important goal. These types of partnerships must respect the mandates and independence of each partner and require a certain degree of maturity and self-confidence.

126. The role of NGOs must be officially recognized and the basic conditions for their work guaranteed. It is thus important that the Commission on Human Rights proceed expeditiously with the adoption of the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

127. The Secretary-General in his reform proposals referred to the impact of the private sector in both developed and developing countries and the need to strengthen the relationship between the United Nations and the private sector, including the business community. In 1997 the Secretary-General raised this issue at the World Economic Forum. This year the High Commissioner was able to discuss at that Forum with the political and business leaders the impact of their activities on the enjoyment of human rights and the relevance of human rights principles to their own objectives. Many decisions today which have a

direct or indirect impact on the enjoyment of human rights are taken by private actors and it will be important to develop a dialogue with them on these issues.

K. Promotion and protection of human rights in Africa

128. The General Assembly set development in Africa as one of the priority objectives for the United Nations within the context of the 1998-2001 medium-term plan. And, in June 1997, the Secretary-General, giving concrete expression to this objective, called for efforts to unleash a wave of change in Africa based on democracy, respect for human rights and sustainable development.

129. The United Nations human rights programme already has a significant involvement in Africa. In the area of technical cooperation, an important number of projects are carried out in Africa. Assistance is provided to States, in particular with regard to the revision of national legislation and the establishment of national institutions; last year support was provided for the first Regional Conference of African National Human Rights Institutions. Assistance has also been provided to the African Commission on Human and Peoples' Rights, to the African Centre for Democracy and Human Rights in the Gambia and to the Arab Institute for Human Rights in Tunis. A recently approved project foresees assistance to the African Commission in the processing of State party reports and the handling of individual communications.

130. As noted above, human rights field presences are to be found in Angola, Burundi, the Democratic Republic of the Congo, Malawi, Rwanda and South Africa. The Malawi and South Africa offices are dedicated to the implementation of technical assistance projects and the remaining offices carry out both project development and information analysis.

131. In order to provide a focus for the efforts of the human rights programme in contributing to the development of Africa, the Office of the High Commissioner has prepared a statement of human rights objectives in Africa. The aim is to bring about an improvement in the enjoyment of human rights, in particular through strengthening the legal, policy and institutional capacity to promote and protect human rights nationally and regionally. Assistance would be provided, at government request, to achieve ratification by all African States of the basic human rights treaties, the incorporation of international standards into national legislation, the prevention of human rights violations and the removal of obstacles to the enjoyment of human rights, the adoption of national plans for human rights, the establishment of national institutions, and the strengthening of cooperation for human rights at the regional and subregional levels.

132. A step towards reaching these objectives was taken by the Office and UNDP in agreeing to provide a regional human rights adviser for southern Africa charged with facilitating, in coordination and consultation with the UNDP resident coordinators, the formulation, implementation and evaluation of projects for governance, human rights, democracy and the rule of

law developed at government request. Advice would also be provided, as requested, to Governments of the region and to the Southern Africa Development Community.

133. All these activities require close consultation and coordination with the Organization of African Unity and the High Commissioner is looking forward to in-depth discussions at the meeting between the secretariats of the OAU and the United Nations as agreed by the Secretaries-General of both organizations in June 1997. Consultations will also be pursued within the United Nations, in particular within the Special Initiative for Africa.

IV. HUMAN RIGHTS IN CONFLICT PREVENTION, PEACEMAKING AND POST-CONFLICT SOCIETY BUILDING

134. The Charter of the United Nations forged a strong link between respect for human rights and peace and security and subsequent experience has confirmed that relationship. Most situations of conflict or tension in the world are internal in origin, although they often spill over borders, and are rooted in denials of basic human rights either by reason of discrimination, or exclusion from the decision-making organs of society, or in the denial of rights such as those relating to employment, housing, food or the respect for cultural life.

135. The Secretary-General in his reform proposals stated that an analysis of developments and trends in the area of human rights should be incorporated in the early warning activities of the Organization and that human rights are key elements in peacemaking and peace-building and should be addressed in the context of humanitarian operations. One of the objectives of the reorganization was to enable the Office of the High Commissioner to provide support in these areas. The World Conference on Human Rights made a recommendation relating to the human rights contribution in the area of peacekeeping operations.

136. Protecting human rights after conflicts cannot be isolated from how we deal with the situation of conflict itself. Since the end of the cold war, the United Nations has been called on to assist countries in the transition to democracy and to play a major role in conflict resolution and post-conflict peace-building. Our experiences in peace-building has shown how important the inclusion of human rights provisions in peace or transitional agreements can be, and the very positive role United Nations human rights monitors can play in building mutual confidence and helping to create a climate of understanding.

137. The humanitarian and human rights dimensions of our response to emergency situations must take into account the long-term development objectives of the country. A smooth transition from assistance to development is essential but it must be prepared from the very outset. Thus a two-track approach should be considered in which humanitarian assistance on the one hand and development assistance on the other will eventually converge, with human rights an element in both. This means that both institutions and individuals must work together, aware of the objectives and needs of the parallel

programmes. Further, steps should be taken to ensure the fullest participation possible by a country's leaders and people, directly through the elected organs of Government and through NGOs and civil society.

138. The capacity of the human rights programme to act rapidly to field human right officers to monitor and assist in emergency situations will depend upon reliable logistical and administrative support, preferably from specialized sectors of the Secretariat outside the Office, on the availability of financial resources and on the ability to call upon a roster of experts at short notice. Within the Secretary-General's reform package, the High Commissioner has been requested to make proposals for dealing with these needs regarding field operations.

139. Human rights is an essential element of the international response to situations of tension or conflict, but it is even more essential for national authorities to respect international human rights standards in such situations. Respect for the provisions of the International Covenant on Civil and Political Rights will provide the space for dialogue necessary to long-term solutions to the root causes of conflict and prevent the excesses which make reconciliation so difficult.

140. Societies which have emerged from conflict have particular needs in the area of human rights and economic development and the complexities of such situations require special care from international actors. The material, economic, health and social damage and imbalances occasioned by the conflict must be addressed in part with the assistance of international development cooperation. The hate and the psychological scars of conflict must be overcome. Recognizing and protecting human rights can help create a climate of confidence within which these difficult problems can be addressed.

141. In seeking national reconciliation, international human rights standards have a unique role to play. Since they are by definition universal, and not the property of one group or sector of the community, they can be readily accepted by all as the basis for living together, without the loss of political face or prestige. A particularly important issue is impunity. Each society must seek its own response to the demands to know what happened and for justice to be done. There is no model good for every situation.

142. Economic reconstruction must be accompanied by the building of the institutions of human rights. Ratifying human rights treaties, ensuring that the constitution proclaims and protects human rights, reviewing and amending legislation and training judges, police, lawyers and prison officials might at first sight seem secondary in importance; the contrary is true. These are activities which can clearly signal a commitment to address human rights issues and to build a society in which all can live freely and to provide a solid legal framework for economic development which will aid national and international investment.

V. CONCLUSIONS

143. The human rights programme is full of promise and faces great challenges. As we prepare to enter the new millennium our thoughts should be with the people of this planet who look to the United Nations for leadership

and protection for their human rights in their daily lives. Our response must be universal. Universal in subject, in the sense that every human being no matter where she or he is born, and without distinction of any kind, is entitled to the same rights. Universal in rights, in the sense that all human rights are important - civil, cultural, economic, political and social.

144. We must ensure that respect for human rights is central to the new ethical and moral challenges confronting our world. The rule of law, democracy, and national and international solidarity for social justice must be our basic principles as we seek to give reality to article 28 of the Universal Declaration which proclaims that "everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized". Our commitment must be to respond more effectively to emergency situations and violations in order to save lives and protect individuals and populations. We must also focus on assisting States in applying international standards and overcoming root causes of violations.

145. A crucial tool in reaching these objectives will be the mainstreaming of human rights across the United Nations system, including the Bretton Woods institutions. Each programme and agency should have human rights as a central purpose and include human rights elements in their strategies, programmes and projects. This, in turn, places an important responsibility on the Office of the High Commissioner for Human Rights to become the centre of excellence to which the system can turn for human rights expertise.

146. Hand in hand with improving the capacity and performance of the Secretariat goes the reform and strengthening of the work of the human rights organs, the treaty bodies and the special procedures system so that they, too, can make their own specific contribution in response to the new demands of the world situation. There are also a number of cross-cutting themes of major concern in protecting and promoting human rights. Among these themes are the human rights of women and the girl child, the elimination of discrimination, protection of vulnerable groups such as indigenous people, migrants and minorities, and the need to protect effectively the rights of the child in general and from particular threats such as armed conflict, child labour and sexual exploitation.

147. All these activities must be carried out within limited regular budget resources. We thus need voluntary contributions to support and implement a growing number of our activities and it is important that as wide a range of States as possible make contributions and join the traditional donors in support of our work.

148. Building a world of respect for human dignity, rights and social justice is the responsibility of everyone. We are challenged in our daily lives and through our governmental, community and private institutions and associations to act to achieve the objectives of the Universal Declaration of Human Rights in our own neighbourhoods and in every corner of the world. The challenge is not easy, but it is noble. It is both individual and collective and calls for a global partnership for human rights. It is the ambition of the Office of the High Commissioner for Human Rights to play its rightful role in that partnership.